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APR 15 2019	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

*ORDER*

BRENDAN NASBY,

Plaintiff,

v.

STATE OF NEVADA, ex re. NDOC, et al.,

Defendants.

Case No. 3:17-cv-00447-MMD-CBC

**MOTION FOR EXTENSION OF TIME TO  
SERVE DISCOVERY RESPONSES TO  
INTERROGATORIES AND REQUEST FOR  
PRODUCTION OF DOCUMENTS SET ONE**

**(FIRST REQUEST)**

Defendant, James Cox, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Darby G. Phelps, Deputy Attorney General, submits his Motion for Extension of Time to Serve Discovery Responses to Interrogatories and Request for Production of Documents Set One. This Motion is based on Federal Rule of Civil Procedure 6(b)(1)(A), the following Memorandum of Points and Authorities, and all papers and pleadings on file in this action.

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. ARGUMENT**

Defendant respectfully request a thirty (30) day extension of time out from the current deadline (April 15, 2019) to serve the first discovery responses in this case. On information and belief, Defendant recently underwent a medical procedure inhibiting his ability to respond to Plaintiff's discovery requests.

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1 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

2 When an act may or must be done within a specified time, the court may,  
3 for good cause, extend the time: (A) with or without motion or notice if  
4 the court acts, or if a request is made, before the original time or its  
5 extension expires; or (B) on motion made after the time has expired if the  
6 party failed to act because of excusable neglect.


7 Defendant's request is timely and its limited nature will not hinder or prejudice Plaintiff's case, but will  
8 allow for more thorough responses to Plaintiff's discovery requests. The requested thirty (30) day  
9 extension of time should permit Defendant time to adequately research and respond to Plaintiff's  
10 discovery requests. Defendants assert that the requisite good cause is present to warrant the requested  
11 extension of time. Additionally, the same discovery requests were served upon the other Defendants,  
12 who timely submitted responses.

13 For these reasons, Defendant respectfully requests a thirty (30) day extension of time from the  
14 current deadline to serve discovery responses, with a new deadline to and including Wednesday, May  
15 15, 2019.

16 DATED this 12th day of April, 2019.

17 AARON D. FORD  
18 Attorney General

19 By:

20   
21 DARBY G. PHELPS  
22 Deputy Attorney General  
23 State of Nevada  
24 Bureau of Litigation  
25 Public Safety Division

26 *Attorneys for Defendants*

27 IT IS SO ORDERED.

28   
U.S. MAGISTRATE JUDGE

DATED: 4/15/2019